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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,362	08/08/2001	Glenn Raymond McClendon III	1330.1103	8925

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EXAMINER

FISCHETTI, JOSEPH A

ART UNIT PAPER NUMBER

3627

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,362

Applicant(s)

MCCLENDON ET AL.

Examiner

Joseph A. Fischetti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23,24 and 26-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23,24,26-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election without traverse of claims 23-24,26-27,32-38 in the reply filed on 3/2/06 is acknowledged. It is hereby made final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23, 24, 26, 27, 32-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marks in view of Heinemann et al 6882986.

Re claims 23/27 Marks discloses a method/system for entering information on accounting lines by a person using a computer (col. 4, lines 15-18, col.6,lns 15-60 TT1-TT11), the information entered on each accounting line relating to accounting activities and including an amount(TT2, col. 6,lns 15-60); processing the information entered on the accounting lines (col. 4, lines 15-18) by a computer to create posting lines (temp file records), each posting line including a debit, a credit or a debit/credit pair (see TT4) relating to a respective amount included in information entered on a respective accounting line; storing the created posting lines in an electronic catalog by a computer (file 28 fig. 1); marking respective posting lines stored in the catalog by a person via a

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computer (col. 11 lines 4-15 - It is noted that Marks automatically checks for posting lines (temp. file records) that are ready to post to the journal by verifying the debits and credits balance) selecting posting lines stored in the catalog (file 28) by a computer in accordance with said marking ; posting the selected posting lines to a journal by a computer, to thereby create journal entries(permanent transaction journal 3 0); and posting the journal entries (30) to a ledger (control general ledger 22) by a computer.

However, Marks fails to disclose viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer: and marking so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person.

But, Heinemann et al. disclose at col. 9 lines 49 – 51 disclose viewing posting lines (e.g invoices have plural lines which are each reviewed) and corrections can be made by the view (part of the evaluation process for approval) corrected lines (invoices) are marked using an additional two digit code col. 7 lines 52 et seq. which is stored along with codes not having such indicia if the invoice lines are passed without error. It would be obvious to modify the method/system of Marks with the manual correction feature and the marked /not marked indicia of Heinemann the motivation being the human correction factor and the ability to see what posting were subject to change.

Re claim 24. It is noted that Marks automatically checks for posting lines (temp. file records) that are ready to post to the journal by verifying the debits and credits balance. Once the computer verifies that the debits and credits are balanced, then posting lines (temp. file records) are posted. However, Marks fails to disclose a person marking a posting line to indicate if it is ready to post. Marks notes in the Background section of his disclosure that accounting recording keeping can be performed manually (see columns 1 and 2). Mark's claimed system utilizes a computer to automate certain aspects of the recording keeping process while leaving other aspects (such as inputting transaction data; see column 4, lines 15-18) to a person for manual processing. The Examiner concludes that it would be obvious to one of ordinary skill in the art at the time the invention was made for a person to manually mark the posting lines to indicate they are ready to be posted by manually checking that the debits and credits balance in place of the automatic system, because manual checking, while slower, may be used to spot accounting errors not originally programmed into the computer system.

Re claim 26: marks respective posting lines to indicate whether the respective posting lines are ready to post is met by the additional code placed along side the ID as discussed above.

Re claims 32,36: The system in Marks is a continuing posting apparatus/process.

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Re claim 33: updating a flag corresponding to each marked posting line, the updated flag thereby indicate that the posting line was marked(read a s the resubmitted invoice number with the additional two digits indicating posting line was marked, the indicia of the , wherein said selecting selects posting lines having updated flags indicating that the post lines were marked (occurs when resubmitted invoice is corrected to overcome the error for which it was rejected.

Re claim 34: whether posting are to actual disbursements or a budget file is a matter of design choice governed by application not invention.

Re claim 35: Official Notice is taken of the old practice of two journal entries in account practice. No challenge as provided by MPEP sec. 2144.03c was advanced, and hence is made final.

Re claim 37: In both Marks and Heinemann et al. corrections are made to the viewed posting lines not requiring the user to refer back to accounting lines.

Re claim 38: Official Notice is taken of the old accounting practice of marking respective posted posting lines in the catalog after being posted as being posted by there very existence in the catalog. No challenge as provided by MPEP sec. 2144.03c was advanced, and hence is made final.

Applicant's arguments filed 9/12/06 have been fully considered but they are not persuasive. Applicant argues Heinemann discloses allowing for corrections to invoices rather than posting lines by the billing party. First, nowhere has applicant recited in his claims the distinction between a billing party and a billed to party. As the claims read, they are almost generic to either an accounts receivable or an accounts payable ledger. Furthermore, in today's flow through B2B processing, accounts receivable and accounts payable are transparent such that the invoice data is received by a purchaser's accounting system as if entered by them. See, e.g. US 6,493,685. Based on this understanding and the lack of the claims reciting any reference to a receivable or payable account, the teaching extracted from Heinemann of allowing accounting lines to be corrected before entry is deemed a clear obvious step in light of the fact that Heinemann discloses automatic payment by the billed party making the invoice data accepted by the payment made.

Re claim 37, the recitation is based upon not having to do a step which is not a positive recitation. Even still, nothing in either of the references relied on shows otherwise.

Re claims 32,36: the recitation of continuing to stories read simply as the next invoice that is treated thus the process is deemed "continuing" in that it is not a one time operation.

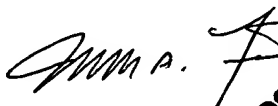
Re claim 34: applicant's reliance of the word "budget" vastly over speaks to the scope of the myriad of interpretations which the word connotes. Budget is read as the overall financial plan in Marks.

Re claim 35 official notice is taken of double journal entries without challenge as provided by MPEP sec. 2144.03c and hence is made final.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number 571 272 6780.


Joseph A. Fischetti
Primary Examiner
Art Unit 3627

JOSEPH A. FISCHETTI
PRIMARY EXAMINER